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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/040,210	01/02/2002	Kiyoko F. Aoki	BDI001

CONFIRMATION NO. 9004

28848
TOPE-MCKAY & ASSOCIATES
23852 PACIFIC COAST HIGHWAY #311
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Date Mailed: 10/10/2006

DENIAL OF REQUEST FOR WITHDRAWAL OF ATTORNEY OR AGENT

The request for withdrawal of attorney or agent filed 09/18/06 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- The request is untimely because there is an outstanding Office Action in the application to which a response is due within 30 days.
- The request is not being made by the attorney or agent who wishes to be withdrawn, or the attorney or agent signing the request has not stated that he/she is signing on behalf of himself/herself and the withdrawing attorney or agent.
- The person signing the request did not provide his/her name and registration number.
- There is no alternate correspondence address, either in the application file or the request. Please provide a correspondence address to which further correspondence can be directed.
- No Power of Attorney has been established in the above-identified application. Accordingly, the withdrawal cannot be accepted because the practitioner seeking to withdraw is not of record. The change of correspondence address will be considered separately.
- The attorney or agent requesting to withdraw has not been appointed attorney of record in the application (i.e., there is no power of attorney). Accordingly, the withdrawal cannot be accepted because the practitioner seeking to withdraw is not of record. Moreover, a patent practitioner cannot withdraw another practitioner of record unless they also withdraw himself or herself, and affirm that they are acting on behalf of the other patent practitioner(s). To revoke the power of attorney given to another patent practitioner, the applicant must comply with 37 CFR 1.36(a).
- The Request for Withdrawal of Attorney or Agent does not properly identify the attorney(s)/agent(s) to be withdrawn.

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